



pennsylvania

OFFICE OF OPEN RECORDS

RTK-540



Springettsbury Township

1501 Mt. Zion Road

York, PA 17402

717-757-3521

717-757-7856 (Fax)

www.springettsbury.com

RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: June 13, 2018

REQUEST SUBMITTED BY: E-MAIL U.S. MAIL FAX IN-PERSON

NAME OF REQUESTOR: Kristine E. Marsilio

STREET ADDRESS: 213 Market Street, 8th Floor

CITY/STATE/COUNTY/ZIP (Required): Harrisburg, PA 17101

EMAIL (Optional): [REDACTED] PHONE (Optional): [REDACTED]

RECORDS REQUESTED (Please use additional sheets if necessary):
**Provide as much specific detail (dates, addresses, etc.) as possible so the agency can identify the information.*

Please see attached.

DO YOU WANT COPIES? YES NO

DO YOU WANT TO INSPECT THE RECORDS? YES NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES NO

**** PLEASE NOTE: Retain a copy of this request for your files; it is a required document if you file an appeal.****

For Agency Use Only:

RIGHT-TO-KNOW OFFICER: *Abby Gibb: abby.gibb@springettsbury.com 717-505-0415*

DATE RECEIVED BY THE AGENCY: *6/13/18*

AGENCY FIVE (5)-DAY RESPONSE DUE: *6/20/18*

Agency 30-Day Response Due: *7/20/18*

****Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)**

Springettsbury Township RTK Requests

1. Please provide the complete file for the property located at 1510 Whiteford Road York, Pennsylvania, including but not limited to any and all certificates, notices, complaints, inspections and/or reports.
2. Please provide copies of any and all documents, public records, legislative records, and/or financial records sent to or received from any party related to the property at 1510 Whiteford Road York, Pennsylvania.
3. Please provide copies of any and all written, electronic, or recorded communications with any party relating to the property at 1510 Whiteford Road York, Pennsylvania.
4. Please provide the complete file for Land Development Plan #LD-18-02, including but not limited to any and all certificates, notices, complaints, inspections and/or reports.
5. Please provide copies of any and all documents, public records, legislative records, and/or financial records sent to or received from any party related to Land Development Plan #LD-18-02.
6. Please provide copies of any and all written, electronic, or recorded communications with any party relating to Land Development Plan #LD-18-02.



COAT OF ARMS OF SPRINGETT PENN
1701-1731

SPRINGETTSBURY TOWNSHIP

1501 Mt. Zion Road
York, Pennsylvania 17402
717-757-3521 Fax: 717-757-7856
www.springettsbury.com
email: info@springettsbury.com

Police: 717-757-3525 Fax: 717-840-1908
Police and Fire Emergencies - Dial 911
Recreation Office: 717-505-0406

Wastewater Treatment Facility
3501 North Sherman Street
717-757-3521 Fax: 717-840-0680

BOARD OF SUPERVISORS

Mark M. Swomley
Chairman

George M. Dvoryak
Vice Chairman

Kathleen A. Phan
Assistant Secretary/Treasurer

Blanda E. Nace

Charles A. Wurster

TOWNSHIP MANAGER

Benjamin B. Marchant

June 20, 2018

Kristine Marsilio
Eckert Seamans
213 Market Street, 8th Floor
Harrisburg, PA 17101

Re: **RIGHT-TO-KNOW REQUEST – 1510 Whiteford Road**

Dear Ms. Marsilio,

Thank you for writing to Springettsbury Township with your request for information about the property at 1510 Whiteford Road; your original request is attached to this letter.

I have reviewed the request and an extension of time to respond is required due to the reasons set forth below. The Township anticipates responding to your request no later than July 20, 2018.

- The extent or nature of the request precludes a response within the required time period.
- Timely response to the access cannot be accomplished due to bona fide and specified staffing limitations.
- The request requires the retrieval of historic records.

At this time there may be fees associated with your request. Anticipated costs are approximately \$20.00. You will be advised of any fees required upon the complete review of available records.

Thank you,

Abegale Gibb
Right to Know Officer

File: Right-to-Know 540

SPRINGETTSBURY TOWNSHIP



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Charles A. Wurster

TOWNSHIP MANAGER

Benjamin B. Marchant

July 20, 2018

Ms. Kristine Marsilio
Eckert Seamans
213 Market Street, 8th Floor
Harrisburg, PA 17101

Re: **RIGHT-TO-KNOW REQUEST – 1510 Whiteford Road**

Dear Ms. Marsilio,

Thank you for writing to Springettsbury Township with your request for:

1. Please provide the complete file for the property located at 1510 Whiteford Road York Pennsylvania, including but not limited to any and all certificates, notices, complaints, inspections and/or reports.
2. Please provide copies of any and all documents, public records, legislative records and/or financial records sent to or received from any party related to the property at 1510 Whiteford Road York, Pennsylvania.
3. Please provide copies of any and all written, electronic, or recorded communications with any party relating to the property at 1510 Whiteford Road York, Pennsylvania.
4. Please provide the complete file for Land Development Plan #LD-18-02, including but not limited to any and all certificates, notices, complaints, inspections and/or reports.
5. Please provide all copies of any and all documents, public records, legislative records, and/or financial records sent to or received from any party related to Land Development Plan #LD-18-02.
6. Please provide copies of any and all written, electronic, or recorded communications with any party relating to Land Development Plan #LD-18-02.

Per your email on June 20, 2018, the original request was adjusted to only include public information dated 2015 to the day of your submission. Your request is approved in part and denied in part.

Please note, records are provided in the format in which they exist and the Township is not required to create a record that does not exist, per Pennsylvania Right to Know Law, Act 3 of 2008, Section 705: *Creation of record. When responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record.*

The request is partially denied because the Township does not have written documentation from one of the parties indicated in the Uniform Construction Code Part XIV Section § 403.85 (e) allowed to received documents.

- Title 34. Labor and Industry, Act 45,
 - Part XIV. Uniform Construction Code
 - Section § 403.85(e) Release, retention and sharing of commercial construction records.

Additional records have been denied or redacted based on these sections of Pennsylvania's Right to Know Law, Act 3 of 2008.

- Chapter 7, Section 706 Redaction
 - If an agency determines that a public record, legislative record or financial record contains information which is subject to access as well as information which is not subject to access, the agency's response shall grant access to the information which is subject to access and deny access to the information which is not subject to access. If the information which is not subject to access is integral part of the public record, legislative record or financial record and cannot be separated, the agency shall redact from the record the information which is not subject to access, and the response shall grant access to the information which is subject to access. The agency may not deny access to the record if the information which is not subject to access is able to be redacted.
- Chapter 7, Section 708 (b) (2)
 - A record maintained by an agency in connection with the military, homeland security, national defense, law enforcement or other public safety activity that if disclosed would be reasonably likely to jeopardize or threaten public safety or preparedness or public protection activity or a record that is designated classified by an appropriate Federal State or military authority.
- Chapter 7, Section 708 (b) (3) A record, the disclosure of which creates a reasonable likelihood of endangering the safety or the physical security of a building, public utility, resource, infrastructure, facility or information storage system, which may include;
 - (iii) building plans or infrastructure records that expose or create vulnerability through disclosure of the location, configuration or security of critical systems, including public utility systems, structural elements, technology, communication, electrical, fire suppression, ventilation, water, wastewater, sewage, and gas systems.
- Chapter 7, Section 708 (b) (9) The draft of a bill, resolution, regulation, statement of policy, management directive, ordinance or amendment thereto prepared by or for an agency.
- Chapter 7, Section 708 (b) (10) (i) A record that reflects:
 - (A) The internal, predecisional deliberations of an agency, its members, employees or officials or predecisional deliberations between agency members, employees or officials and members, employees or officials of another agency, including predecisional deliberations relating to a budget recommendation, legislative proposal, legislative amendment, contemplated or proposed policy or course of action or any research, memos or other documents used in the predecisional deliberations.
- Chapter 7, Section 708 (b) (12) Notes and working papers prepared by or for a public official or agency employee used solely for that official's or employee's own personal use, including telephone message slips, routing slips and other materials that do not have an official purpose.
- Chapter 7, Section 708 (b) (21) (i) Draft minutes of any meeting of an agency until the next regularly scheduled meeting of the agency.

Records approved for your request are provided electronically in two methods:

- Electronic records are available via this link (also provided in the response email):
 - [REDACTED]
- Further records are available on the Township website, www.springettsbury.com.
 - Approved Township Board of Supervisor, Planning Commission, and Zoning Hearing Board Meeting minutes, 2015-Present are available on the Township website.

- All completed Right to Know Requests received between 2015 to present are available on the Township website. The address, 1510 Whiteford Road may have been included in Right to Know requests received seeking permit information.

Pennsylvania Right To Know Law, Act 3 of 2008 Section 704. Electronic Access: *(b) (1) In addition to the requirements of section 701, an agency may respond to a request by notifying the requester that the record is available through publicly accessible electronic means or that the agency will provide access to inspect the record electronically. (b) (2) If the requester is unwilling or unable to access the record electronically, the requester may, within 30 days of following receipt of the agency notification, submit a written request to the agency to have the record converted to paper. The agency shall provide access to the record in printed form within five days of the receipt of the written request for conversion to paper.*

You have a right to appeal denial of information in writing to Erik Arneson, Executive Director, Office of Open Records, 333 Market Street, 16th Floor, Harrisburg, PA 17101-2234

If you choose to file an appeal, you must do so within fifteen (15) business days of the mailing date of the agency's response, as outlined in Section 1101 of the Right-To-Know Law.

Please be advised that this correspondence will serve to close this record with our office as permitted by law.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Abegale Gibb
Right To Know Officer

File: Right-to-Know 540